

## REMARKS

Claims 21 and 25 - 29 have been rejected for various reasons under §§ 102 and 103. These claims have been cancelled.

Submitted herewith are new claims which Applicant believes define patentable subject matter.

### § 102 Rejection

Claims 21 and 25 have been rejected under § 102 based on Heaney (U.S. 4,329,982). These claims have been cancelled.

New independent claim 30 recites the limitations that:

- the cuff is positionable above protruding parts of the ankle joint thereby preventing the cuff from moving down on the leg
- the cuff is supported by the protruding parts of the ankle to facilitate inhibition of eversion of the foot

The remaining claims, by dependency from new independent claims, recite these same limitations.

Heaney has no teaching or suggestion of a cuff positionable above protruding parts of an ankle joint. Heaney has no teaching or suggestion of a cuff so positionable that the ankle joint prevents downward movement of the cuff or in which the cuff is supported by the ankle parts to facilitate foot eversion. Applicant agrees with the Office Action's statement that "Heaney does not disclose the apparatus . . . wherein the cuff is at least partially supported by the protruding parts of the ankle to facilitate inhibition of eversion of the foot" and Applicant notes Heaney has no suggestion of this.

Contrary to what is now claimed herein, Heaney requires that his band 10 be attached "on or immediately above the calf" (Heaney, Col. 3, lines 39, 40).

Applicant respectfully submits that the new claims submitted here are not rendered obvious by Heaney and that these claims define subject matter patentable over Heaney.

#### § 103 Rejection

Claim 26 has been rejected under § 103 based on Heaney in view of Goffredo (U.S. 2,584,010). This claim has been cancelled.

New independent claim 30 presented here has the limitations discussed above.

Applicant repeats here the comments above regarding the Heaney reference. Goffredo does not remedy the deficiencies of Heaney. Goffredo has no teaching or suggestion of a cuff positionable above an ankle joint as now claimed herein. Goffredo has no teaching or suggestion of a cuff positionable above protruding parts of an ankle or of a cuff supported by such parts to facilitate inhibition of foot eversion. Goffredo's ankle strap 10 "is placed upon the ankle" (Goffredo, Col. 2, lines 26 - 27) not above the ankle.

Applicant respectfully submits that the claims discussed here define nonobvious, patentable subject matter with respect to Heaney, Goffredo and any possible permissible combination of them.

#### § 103 Rejection

Claims 27 - 29, rejected under § 103 based on Heaney in view of Broadhurst et al ("Broadhurst") (U.S. 4,982,733) has been cancelled. New Claims 31 - 33, corresponding to now-cancelled Claims 27 - 29, depends from new independent Claim 30.

Applicant repeats here the discussion above of new independent Claim 30 and of the Heaney reference. Broadhurst does not remedy the deficiencies of Heaney.

Applicant respectfully submits that these claims define subject matter patentable over Heaney and Broadhurst and any proper combination of them.

## Conclusion

Applicant appreciates the careful and detailed Office Action. This is intended to be a complete Response to the Office Action. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

Date: \_\_\_\_\_

19 July 06

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